

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION**

**MID-PACIFIC REGION**

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE  
FRESNO, CALIFORNIA**

**DRAFT FINDING OF NO SIGNIFICANT IMPACT**

**ONE-YEAR WARREN ACT CONTRACT WITH LINDSAY-STRATHMORE DISTRICT  
KAWEAH RIVER (WUTCHUMNA) WATER SUPPLY 2008 ONLY**

**Central Valley Project  
Friant-Kern Canal  
Tulare County**

**FONSI-07-106**

Recommended by:

\_\_\_\_\_  
Laura Myers  
Natural Resource Specialist  
South Central California Area Office

Date: \_\_\_\_\_

Concurred by:

\_\_\_\_\_  
Valerie Curley  
Resource Management Division, Acting Chief  
South Central California Area Office

Date: \_\_\_\_\_

Approved by:

\_\_\_\_\_  
Will Shipp  
Deputy Area Manager  
South Central California Area Office

Date: \_\_\_\_\_

**DRAFT FINDING OF NO SIGNIFICANT IMPACT  
ONE-YEAR WARRANT ACT CONTRACT WITH LINDSAY-STRATHMORE  
IRRIGATION DISTRICT, KAWEAH RIVER (WUTCHUMNA) WATER SUPPLY  
2008**

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of a Warren Act Contract is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-07-106, *One-Year Warren Act Contract with Lindsay Strathmore Irrigation District, Kaweah River (Wutchumna) Water Supply 2008 Only*, and is hereby incorporated by reference. The contract will allow the Lindsay-Strathmore Irrigation District (LSID) to convey its non-CVP (Wutchumna/Kaweah) water in excess capacity of Central Valley Project (CVP) Friant Division Project facilities. The LSID needs the Warren Act Contract to deliver the non-CVP water to its customers. The term of the Warren Act contract will run from March 1, 2008 to February 28, 2009.

**BACKGROUND**

The federal action is the conveyance of the LSID's non-CVP water, up to 10,000 acre feet (AF) in existing CVP facilities. The non-CVP water originates from the Kaweah River and will be pumped into the Friant-Kern Canal (FKC). LSID asserts ownership to 21 shares of stock in Wutchumna Mutual Water Company on the Kaweah River. LSID's facilities would be used to pump water from the Kaweah River located at the intersection of the Upper Wutchumna Ditch and FKC.

**FINDINGS**

***Physical Resources***

The conveyance of non-CVP water in Project facilities is contingent upon available capacity in the FKC. No new construction will be required to convey this water. The Proposed Action will not change existing conditions and will not contribute to new increases or decreases of water supplies that will provide water to additional homes or businesses in LSID.

The approval of a one-year Warren Act contract with the LSID will not cause any significant environmental impacts for the following reasons:

- LSID has rights to the water and no increases or decreases of water supplies will occur.
- This water has historically been delivered to LSID prior to construction of the Friant Division facilities. This water will be used to maintain existing conditions including supporting existing land uses, biological resources, social and economical environment.
- This Proposed One-Year Warren Act Contract is not precedent setting. The Warren Act was enacted in 1911. Reclamation has conveyed this water to LSID since 1948.
- Reclamation determines if capacity exists in the FKC prior to conveying this water. The water will be conveyed in existing facilities and no construction or modifications will be required.

- The diversion of the water from the Kaweah River by LSID is independent of CVP operations and will not interfere with the delivery of CVP water to other contractors and for fish and wildlife purposes.
- The conveyance of the non-CVP will not degrade the quality of CVP water in the FKC.

LSID asserts having 21 shares of stock from the Wutchumna Mutual Water Company (Wutchumna) which has an appropriative right to water from the Kaweah River. The conveyance of up to 10,000 AF in the FKC, when capacity exists, will not result in significant impacts to other water users, contractors, or downstream users.

The non-CVP Water originates in the Kaweah Sub-basin adjacent to the San Joaquin Basin and CVP water. Water quality is similar in rivers originating in the Sierra Nevada Mountains. However, Reclamation will require the non-CVP water to be analyzed for constituents of concern listed by the State of California in its Domestic Water Quality Standards (Title 22). The amount of water to be conveyed, 65 cubic-feet per second (cfs), is small compared to the capacity of the FKC (4,500 cfs).

The non-CVP water may be conveyed in existing CVP facilities and LSID facilities. No new construction or modifications are required to convey this non-CVP Water. The conveyance of non-CVP Water will not interfere with the normal operation of the CVP facilities, the San Joaquin River, Kaweah River, the Sacramento Delta, and related CVP facilities. Prior to accepting non-CVP Water, Reclamation determines excess capacity is available in the FKC.

The conveyance of non-CVP Water will not interfere with any CVP obligations to deliver CVP water to other contractors or for fish and wildlife habitats. The diversions of the non-CVP water from the Kaweah River will likely occur with or without the Warren Act Contract. LSID could sell this water to willing buyers. The addition of non-CVP water to CVP facilities will not alter water quality nor cause any negative impacts to aquatic resources in the rivers or CVP facilities. The non-CVP water originates in an adjacent watershed to the San Joaquin River water. The quality of this water is similar to water quality in the FKC. This non-CVP water is tested prior to pumping into the FKC and routine water quality testing is conducted just downstream of the point of pump-in to the FKC. The water quality standards are located in Appendix A of the EA. Pumping of this water into the FKC would stop immediately if water quality standards and turbidity were exceeded.

The non-CVP Water will be used for beneficial uses by irrigation customers and to approximately 1,400 homes for M&I uses in LSID. LSID is responsible for managing all water supplies and providing water to its customers within its service area. Due to the lack of adequate groundwater, homeowners must rely on surface water. The water will supplement CVP water deliveries and reduce the need to draw groundwater from the over-drafted area. The execution of this Warren Act Contract will not alter the terms and conditions of the LSID's existing long-term contract for CVP water service.

### ***Biological Resources***

The availability of non-CVP Water will not result in irrigation of any native, untilled land. Native lands or lands that have been fallowed for three or more consecutive years will be surveyed for biological resources prior to application of this water. Consultation with the U.S. Fish and Wildlife Service may be required if threatened or endangered species are found, or if critical habitat is converted to other uses. LSID is a CVP contractor and subject to existing biological opinions issued

by the U.S. Fish and Wildlife Service. Approvals will be conditioned with the understanding that irrigation activities not affect the presence of threatened or endangered species and that previously untilled land must not be cultivated and put into production using CVP or non-CVP Water.

### ***Cultural Resources***

The conveyance and use of the non-CVP water is contingent upon available capacity in the FKC. No new construction will be required to convey this water. The uncertainty of available capacity and unreliable timing of this water will not contribute to changes in use of this water. No major changes will occur to existing conditions. Therefore, the Proposed Action will not result in major changes or disturbances to cultural resources.

### ***Indian Trust Assets***

There are no tribes possessing legal property interests held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action. The nearest Indian trust assets to this action are located on the Tule River Reservation approximately 11 miles southeast of LSID. This action will have no adverse effect on Indian trust assets.

### ***Socioeconomic Resources***

The conveyance of this water will maintain existing conditions and economic vitality in LSID.

### ***Environmental Justice***

The execution of a Warren Act Contract with the LSID is consistent with the February 11, 1994 Executive Order on Environmental Justice. This non-CVP water will be used to support existing conditions including job opportunities for low-income and minority populations.

### ***Cumulative Impacts***

The Proposed Action does not trigger other water service actions and will not contribute to cumulative effects to physical resources when added to these other water service actions. The Proposed Action and other water service transactions will not result in cumulative impacts to fish or wildlife species. No long-term loss of habitat, shelter or foraging opportunities will occur as a result of the multiple water service transactions. The Proposed Action when added to other water service transactions will not result in cumulative or long-term actions that will contribute to additional affects for biological, fish and wildlife resources. The Proposed Action when added to other water service actions will not contribute to new ground disturbing activities or cumulative effects to cultural resources. The Proposed Action will not contribute to net increases of water supplies or contribute to cumulative effects to socio-economical conditions. The Proposed Action will not contribute to cumulative effects to low or disadvantaged populations.

Approval will not have highly controversial or uncertain environmental effects or involve unique or unknown risks. Impacts associated with the proposed action are minor, short-term, localized and temporary in nature; therefore, there are no significant cumulative impacts associated with this project.